IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

W.M.M., et al., on their own behalf and on behalf of all others similarly situated,

Petitioners—Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States, *et al.*,

Respondents-Defendants.

Case No. 1:25-cv-59-H

<u>PETITIONERS-PLAINTIFFS' MOTION TO RECONSIDER OR,</u> <u>IN THE ALTERNATIVE, CERTIFY A CLASS UNDER RULE 23(c)(4)</u>

TO THE COURT, ALL PARTIES AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Petitioners-Plaintiffs ("Petitioners") hereby move the Court to reconsider its May 9, 2025 order denying Petitioners' Amended Motion for Class Certification. ECF No. 67. In the alternative, Petitioners move the Court for an order certifying a class as to the issues that are common to the class pursuant to Federal Rule of Civil Procedure 23(c)(4). Reconsideration and certification are warranted for the reasons given in the attached Memorandum.

Dated: May 13, 2025

Noelle Smith*
Oscar Sarabia Roman*
My Khanh Ngo
Cody Wofsy*
Spencer Amdur*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
425 California Street, Suite 700
San Francisco, CA 94104

/s/Lee Gelernt
Lee Gelernt
Daniel Galindo
Ashley Gorski*
Patrick Toomey*
Sidra Mahfooz*
Omar Jadwat*
Hina Shamsi*

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION FOUNDATION

T: (415) 343-0770 E: nsmith@aclu.org E: osarabia@aclu.org E: mngo@aclu.org E: cwofsy@aclu.org E: samdur@aclu.org

Brian Klosterboer Tx Bar No. 24107833 Thomas Buser-Clancy TX Bar No. 24078344 Savannah Kumar TX Bar No. 24120098 Charelle Lett TX Bar No. 24138899 Ashley Harris TX Bar No. 24123238 Adriana Piñon TX Bar No. 24089768 ACLU FOUNDATION OF TEXAS, INC. 1018 Preston St. Houston, TX 77002 (713) 942-8146 bklosterboer@aclutx.org tbuser-clancy@aclutx.org skumar@aclutx.org clett@aclutx.org aharris@aclutx.org apinon@aclutx.org

125 Broad Street, 18th Floor New York, NY 10004 T: (212) 549-2660 E: lgelernt@aclu.org E: dgalindo@aclu.org E: agorski@aclu.org E: ptoomey@aclu.org E: smahfooz@aclu.org E: ojadwat@aclu.org E: hshamsi@aclu.org

Attorneys for Petitioners-Plaintiffs

*Pro hac vice applications forthcoming

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filing to all counsel of record.

Dated: May 13, 2025 Respectfully submitted,

/s/Lee Gelernt Lee Gelernt AMERICAN CIVIL LIBERTIES UNION FOUNDATION 125 Broad Street, 18th Floor New York, NY 10004

T: (212) 549-2660 E: lgelernt@aclu.org

Attorney for Petitioners-Plaintiffs